

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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SHAW FAMILY ARCHIVES, LTD., EDITH  
MARCUS and META STEVENS,

Plaintiffs,

-against-

CMG WORLDWIDE, INC., an Indiana Corporation:  
and MARILYN MONROE, LLC, a Delaware  
Limited Liability Company,

Defendants.  
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Index No. O5 CV 3939 (CM)

Hon. Colleen McMahon

**SECOND DECLARATION OF CHRISTOPHER SERBAGI**

I, CHRISTOPHER SERBAGI, an attorney duly licensed to practice law before  
this Court, declare the following facts under penalty of perjury:


1. I represent Shaw Family Archives, Ltd., Edith Marcus, Meta Stevens and  
Bradford Licensing Associates (collectively referred to as the "Shaw Family") in the above-  
captioned matter and am fully familiar with the facts set forth herein. I respectfully submit this  
declaration on behalf of the Shaw Family in further support of its motion seeking the imposition of  
a bond.

2. I write in brief response to Ms. Colbath's representation that I said that the Shaw  
Family's attorney's fees were \$900,000. As an initial matter, Ms. Colbath expressly promised to  
me and David Marcus that she would not disclose this number to anyone. Her decision to do so  
now for tactical advantage is highly regrettable.

3. On October 9, 2007, the Shaw Family had settlement discussions with MMLLC's new attorneys, Loeb & Loeb. Paula Colbath, Barry Slotnick, David Marcus and myself were present at that meeting. Giving Ms. Colbath all benefit of the doubt, she is confused as to what I and David Marcus stated at the settlement conference she describes. Suffice it to say that the Shaw Family did not mean that \$900,000 reflected all its attorneys fees for every claim in this action. The Shaw Family chooses not to disclose what this number was meant to represent because to do so now would only require the disclosure of more private communications between counsel, that were expressly confidential. If the Court would like full disclosure, the Shaw Family would be pleased to comply. For now, the Shaw Family has detailed invoices for all the work it has completed in this action, which it will provide for the Court's review if it so pleases. What Ms. Colbath recalls in the substance of settlement discussion is irrelevant. The only relevant factor is the work that the Shaw Family actually completed, which it is ready to demonstrate for the Court.

Dated: New York, New York  
April 9, 2008

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Licensing Associates, Edith Marcus and Meta Stevens